

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:)	
VAN E. CHRISTIAN, II)	
)	Chapter 7
Debtor.)	Case No. 10-09108
)	Judge George C. Paine, II
)	
JOHN and CONNIE McCASLIN,)	
)	
Plaintiffs,)	
)	
vs.)	Adv. No. 311-0068A
)	
VAN E. CHRISTIAN, II, SPENCER)	
TALBOTT, RHONDA TALBOTT, and)	
TALBOTT TITLE LLC,)	
)	
Defendants.)	

MOTION TO DISMISS

Come the defendants, Spencer Talbott and Rhonda Talbott, through counsel, pursuant to F.R.B.P. 12.(b)(1) and would move that the case against them on the basis that this Court lacks jurisdiction over the claim against Spencer Talbot and Rhonda Talbot.

In the alternative the defendants move for a judgment on the pleadings on the same legal grounds.

Respectfully submitted,

/s/ Kevin S. Key
KEVIN S. KEY, #9519
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CERTIFICATE OF SERVICE

I certify I mailed/e-mailed a copy of the foregoing to James D. R. Roberts and Janet Layman, Attorneys for the McCaslins, 1700 Hayes Street, Suite 303, Nashville, TN 37203, David F. Cannon, Attorney for Debtor, 346 21st Avenue North, Nashville, TN 37203, Eva Lemeh, Chapter 7 Trustee, 4300 Kings Lane, Nashville, TN 37218, the U.S. Trustee, 318 Customs House, 701 Broadway, Nashville, TN 37203 on this 8th day of June, 2011.

/s/ Kevin S. Key
KEVIN S. KEY #9519